

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
APRIL 20, 2011

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Present: Mayor John P. "Jack" Seiler
Vice Mayor Bobby B. DuBose, Commissioners Bruce G. Roberts,
Charlotte E. Rodstrom, and Romney Rogers

Also Present:	Acting City Manager	Allyson C. Love
	City Auditor	John Herbst
	City Clerk	Jonda K. Joseph
	City Attorney	Harry A. Stewart
	Sergeant At Arms	Sergeant Joyce Fleming

I-A – Homelessness – Salvation Army Disaster Relief Mobile Units

Cate McCaffrey, Director of Business Enterprises, reviewed information in Commission Agenda Report 11-0571, chronicling what has been occurring with the task force and this issue. On April 13, the Downtown Development Authority passed a resolution, suggesting the use of the Salvation Army facility located at 1445 should be used for a homeless feeding site, that the City should continue to look for a site south of the New River, that the Helistop and One Stop sites be rejected and use of the mobile units be rejected.

Vice Mayor DuBose noted the Salvation Army facility is across from an elementary school, therefore he will continue to raise the same concerns about exposure to youth.

In response to Mayor Seiler, the City Attorney thought the Salvation Army site probably violates the Abbott case which indicates that in order to prevent feedings in the park, other City owned properties must be designated. He distributed the Vagabonds case in Orlando. The City is trying to mirror what Orlando has done in a permitting process for all City parks within a mile or so of the downtown. Orlando's process has been approved by the 11th Circuit in Atlanta.

Discussion ensued about the Salvation Army's mobile unit. Major Hogg of the Salvation Army highlighted their approach and purpose of the mobile units. Salvation Army would allow the unit to be used by others provided the health code is followed. Anyone using the unit would be covered under the Salvation Army's licensing. Mayor Seiler thought City parks on a rotational basis with Salvation Army's assistance would be the best short-term solution. He believed it is important to have referral information available at the same time. A general discussion ensued wherein Mayor Seiler reiterated his preference for a rotational basis so that it does not rest in any single district and for the provision of referral services, working with the churches and Salvation Army. Vice Mayor DuBose clarified he does not want the City to dismiss variables in the process with respect to his comment about children, but he viewed this as the best potential model that has been at the table. In response to questions, the City Attorney advised that the Abbott case was specific in the property being City owned, but it does not have to be a park. Commissioner Rogers indicated the importance of moving forward in trying to facilitate and recognize the entire problem cannot be solved.

Haylee Becker indicated she is a Fort Lauderdale resident and member of Fort Lauderdale Food Not Bombs that shares food with the homeless three times a week including Stranahan Park. She brought attention to the question of whether some

people could keep track of changing feeding locations and transportation to them. She questioned if this would solve the issue of homeless people in parks and homelessness in general. She appreciated the City's efforts, but thought the focus should be on something more concrete without infringing on rights to gather in a public space based on class.

Nathan Pim indicated he is a Hollywood resident and member of Fort Lauderdale Food Not Bombs. He was concerned about the continued implication of getting arrested because of the City's policies. He has worked as a member of Food Not Bombs in Tampa, Orlando and Fort Myers. Regardless of what the city commissions in these people are talking about, the end result is having people arrested. Such policies will create pain and suffering for people who already have so little and benefit the chamber of commerce and downtown businesses who feel that it is hurting their profit margins. He believed Fort Lauderdale is gearing up to do the same as has occurred in Orlando. He hoped people will think about what really could be done to help homeless people.

David Hitchcock, member of Fort Lauderdale Food Not Bombs, alluded to problems with a rotating location and stressed the need for services to be provided to this large segment of the population. The City should not make it more difficult for people trying to get back on their feet and back to work.

Genia Ellis, Woman's Club and a member of the homeless task force, believed that this community moves around to eat and a mobile unit would not be out of sorts for them. She did not think this concept is out of order, but rather a first step in moving forward. These people live all over the city. She felt with this start, it may be possible to find a permanent location.

Hunter Altschul indicated he is a resident of Fort Lauderdale and has worked with Fort Lauderdale Food Not Bombs for three years. He felt if the goal is to get people back on their feet and back to work, there should be thought given to making them feel that they are appreciated. He believed it would have a positive impact on a cooperative attitude.

Chris Wren, of the Downtown Development Authority, provided a copy of their resolution and offered their help in addressing this problem. A copy of the resolution is attached to these minutes.

Ms. McCaffrey clarified that the task force did not recommend that the Salvation Army site be a fixed location, but along with using the mobile unit, they recommend those certain amenities which would obviously have an associated cost. There would be a start up cost for tables and chairs and canopy. The most expensive item is a Crowd Pleaser Porta-Potty with running water based on an existing City contract - \$1,000 per day. One ADA accessible unit would be \$60 per day. Commissioner Rodstrom thought that running water is essential. Ms. McCaffrey indicated that faith community has indicated they could not accommodate the cost.

Commissioner Roberts saw the next step is to determine the areas that would fall within the Vagabond court decision. He felt the City should move quickly to respond to this offer because the faith community has been waiting for something like this. He agreed with not providing a fixed site at the heliport. He felt information as to scheduling for a mobile unit could be worked out. There was consensus approval to move forward.

I-B – Redevelopment of Aquatic Complex – Recreational Design & Construction, Inc.

Cate McCaffrey, Director of Business Enterprises, noted the history, chronology and previous direction related to this item as outlined in Commission Agenda Report 10-1559.

Ms. McCaffrey responded to Mayor Seiler's question as to why the City received only one response to this RFP, indicating the only thing suggested to her is the requirement that there be a minimal cost to the City. Development options are limited. The proposal was required to have two, 50-meter pools, dive well, something for the International Swimming Hall of Fame and a water component. It would be possible to host most events with one 50 and one 25-meter pool. There is one longstanding event that could not be accommodated unless it was extended. Commissioner Roberts was not certain the City has a clear vision of what it wants specifically and what is its competition. Ms. McCaffrey indicated local competition would be Coral Springs and Plantation. There are a couple large events that the City no longer hosts. The hope is that they would return and new events would be attracted. The removable floor would accommodate events the City cannot handle now. In response to Commissioner Rodstrom's question about the pool component for the next fifteen years, the City Auditor indicated the general consensus is that a 50-meter pool without a 25-meter pool will not be workable solution. For the 50-meter and 25-meter, the incremental cost is not significant. The space could be used for parking, but it is not enough to allow for a significant change in the overall site use. Commissioner Roberts wanted to be sure the City is looking to the future and not simply preservation. Commissioner Rogers noted the hotel usage statistics that have fallen and emphasized this needs to be translated into what Commissioner Roberts is emphasizing. Ms. McCaffrey indicated some is attributable to a deteriorating facility. Experts believe the City would be competitive for most events. There are very few facilities in the United States with two, 50-meter pools and a dive well and could be very competitive also with a 50-meter and a 25-meter. The additional space could be used for dry-land training, but it is not thought it would generate more revenue.

Commissioner Rodstrom was interested in using parking enterprise funds for an ocean rescue facility in the parking structure. Diana Alarcon, Director of Parking and Fleet Services, noted a City ordinance that limits use of the enterprise fund for parking. The City Attorney indicated citation revenue can be used for any purpose. In further response, Ms. Alarcon advised that revenue from rental space at City Park Mall is maintained in the general fund. Commissioner Roberts noted those funds are used to offset employee costs. The City Attorney advised that parking revenue could be used for employees. In response to Commissioner Rogers as to a net average rental revenue per square foot, Ms. McCaffrey indicated an average would be \$19, however, the 80,000 square feet for the Wave House would be financed very differently. Commissioner Rogers requested staff calculate the amount for a simple rental of the land. In response to Mayor Seiler, discussion followed concerning the square footage allotments for the various uses including a breakdown on uses in the Wave House space. Joe Cerrone, representing Recreational Design & Construction, Inc. (RDC) noted there are two restaurants associated with the Wave House.

Jim Blosser, representing RDC, believed this proposal is for a first-class facility and a premier aquatic destination for the world. RDC believes it will be multi-use, family-friendly, financially viable complex and third generation facility with its world renowned

historic aquatic location. Letters of support have been garnered from users that support two large pools, a diving pool and other amenities. RDC has provided for a new ISHOF. There are issues that will need to be negotiated with the City for this to become a reality. The City also specified a complimentary, low-density, family-friendly commercial aquatic component. RDC identified a wave house concept that is being sought all over the world. RDC believes this concept balances other uses for this site economically. The pool complex will be able to host expanded and new events as represented by the user support letters. ISHOF will have a new visible location and the Wave House, restaurant and retail complex will drive substantial visitor and economic benefits. RDC believes it can be built within an affordable outline and operated without the current City subsidy. RDC has secured support of the Beach Redevelopment Council for a recommended allocation of \$25 million. Also, Nikki Grossman, executive director of the Tourist Development Council, has indicated support to allocate \$10 million from Broward County if available. With the independent developer financing the restaurants, retail and Wave House of \$19 million, there is a budget of some \$54 million. Depending upon what requirement is put on ISHOF and value engineering – modifications to the other components, RDC believes capital funds could be identified to make the project possible. Properly managed RDC believes the project could operate at least break-even from the current \$1 million deficit. It will add new jobs, tax revenue, heads in beds and an exciting family destination for tourists and residents.

Tom Lochtefeld, representing Wave House/Wave Loch, Inc., believed Wave House is a catalyst for development and an economic engine. He went on to describe Wave House developing and existing projects around the world, Singapore, Hanoi (in China), Dubai, Abu Dhabi, Mallorca (3:17:18), Canary Islands, Dominican Republic and Amsterdam. He elaborated features of the facilities that will generate revenue and fit into the existing facility's setting of swimming and diving.

Mr. Lochtefeld responded to questions about the Wave House concerning 1) particular designs for Fort Lauderdale; 2) ridership statistics of about 45 people per hour; 3)

More detail ensued concerning ridership and the volume along with comparison of amenities and overall square footage with a San Diego facility. The City Auditor indicated there are some numbers in the proposal concerning economic impact that cannot be verified. Mr. Cerrone indicated audited financials were discontinued in 2007 and RDC just received the information, however it is not an audited statement as to attendance. Mr. Lochtefeld indicated more discussion needs to occur concerning the noise component. If it is restricted, there will be less attendance. He went on to note that additional square footage in comparison with San Diego allows for more than a single venue simultaneously for corporate events. Fort Lauderdale's design is modeled after Singapore. In San Diego, he estimated 500,000 total attendance last year and 100,000 riders.

Mr. Lochtefeld responded to Mayor Seiler's questions about the surf competition concept.

Mayor Seiler opened the floor for public comment.

Michael Leonard, representing YMCA of the USA, submitted a letter, dated April 20, 2011. A copy is attached to these minutes. He went on to elaborate upon the desire for as much water space as possible in competitive swimming.

Ina Lee, representing Travel Host, noted the favorable position of the Economic Development Advisory Board ten years ago and the project's economic impact, mentioning economic loss from losing the Association for Research in Vision and Ophthalmology (ARVO) and the YMCA events. She urged the City move as quickly as possible. Consideration should be given to the marketing time required when the project is complete and what other communities will offer lost events to stay and not return to Fort Lauderdale.

Mary Fertig, representing Idlewyld Improvement Association, spoke of the International Swimming Hall of Fame's history including that of the City's former aquatic director, Jack Nelson.

Ann Hilmer, representing Idlewyld Improvement Association, noted one conclusion reached by Keith and Schnars ten years ago that an aquatic facility that replicated existing competitive facilities did not have residual land available for private development opportunities to contribute to funding the project. This proposal builds an even bigger facility. She noted in May of 2009, the City received a study which led to an RFP containing a three-part process. It was described as a process of determining the best way to move forward, not here is what we want.

Ms. Fertig continued, indicating the problem was that there was only one response. The RFP was not open for the market place to determine what would work. The selected company has already built three aquatic centers in Broward County, therefore she questioned the uniqueness of their product. She believed major stakeholders have been left out of the process. She raised durability issues with the removable floor and problems with using a competitive pool for teaching. She stressed the need for the facility to be unique because of so many other competing facilities.

Ms. Hilmer asked about ideas of an aquatic therapy spa, incorporating the beach greenway, including conference and restaurant space along the Intracoastal, a pool specifically for teaching and one for short-course competition. She asked about the impact of noise levels. She raised ideas about alternatives to a removable floor. She also raised concern about traffic, parking and impact on future beach development.

Ms. Fertig wanted to know how the boat show is accommodated in RDC's plans. Considering the City's investment, she asked about the project's ultimate profit.

Ms. Hilmer thought with the presence of other aquatic centers today, the City needs to make sure the resident as well as the tourist populations will help bridge the budget gap. She reiterated concern about competition from other communities. The City should decide whether this proposal promises the same innovation and vision that made Fort Lauderdale known for swimming. What will happen when the Wave House craze dies out. She questioned how many people in the community with expertise in these areas have been solicited for their involvement.

Mr. Fertig did not believe the current concept will be an economic engine. Attention should be given to attracting new businesses. Consideration should also be given to encouraging private investment. The aquatic complex needs to be an asset to the community and financially viable and offer conference space. She urged the City to explore the potential of health related activities. There should be a teaching pool and

community use maximized, the beach greenway enhanced, boat show opportunities maximized, waterways and ISHOF showcased. It should be unique and set the trend for the next 30-40 years.

Dane Graziano, representing Yachting Promotions (Show Management), indicated Yachting Promotions produces the Fort Lauderdale Boat Show. ISHOF is very integral to the boat show. He requested that Yachting Promotions be consulted on this project. He has not seen any plans. What little he has seen and heard about this proposal does not work for the boat show. In response to Mayor Seiler, he clarified his comments have to do with current amenities and their desire to review the developer's plans. Mayor Seiler gave assurance that Yachting Promotions will be a part of the final solution. Commissioner Rodstrom clarified this proposal is simply an idea. There is a huge funding difference between what can be afforded and what is on the table. Ms. McCaffrey offered additional clarity concerning the RFP.

Art Seitz, 1905 N. Ocean Boulevard, questioned the City doing business with a company that paid a bribe to Peter Sheridan's mother and was nailed in audits in 2002 and 2003. At the time Allyson Love in her former capacity as internal auditor, found discrepancies. He referred to Welcome Park. RDC claims to have built Typhoon Lagoon, but they were not incorporated until after it was completed. RDC was actually a subcontractor to a bridge company in Orlando. He thought more proposals should be secured. He was concerned that background checks were not completed. He urged the Commission heed what is in the Community Redevelopment Agency's charter saying the City should foster family activities. He noted there were six entities expressing interest in the Leisure and Recreational Concepts, Inc.'s (LARC) proposal, but it was dismissed.

Sadler James, 3073 Harbor Drive, did not think the proposal is economically viable using the projections in Exhibit 1 of the Commission Agenda Report 10-1559. The proposal does not provide the amenities that are currently on the site. He also questioned the projections on visitor volume. The RFP requirement of 60,000 square feet deck space made the project financially unfeasible. He pointed out the lack of public input from ISHOF, swim organizations or current pool users. The RFP should be crafted in order to get private enterprise support.

Brad Deckelbaum, chair of the Beach Redevelopment Board, noted that board voted unanimously to encourage the Community Redevelopment Agency dedicate \$25 million toward this project because they saw it as a cornerstone to all of the other projects supported by the board. The board's support is based on three premises: 1) as a national and international destination, the City needs a first class facility for tournaments and swimming meets in order to fill hotel beds; 2) it would be a beach attraction secondary to the beach itself; and 3) it would be a local destination for swimming instruction. No one proposal will solve every concern. The board is confident this proposal will meet the needs of the beach and the community, and they urge the Commission to allow staff to work with the developer to develop a final proposal as quickly as possible to minimize economic loss.

There was no one else wishing to speak.

Mayor Seiler requested the cost of each pool. Mr. Cerrone indicated that each pool is unique to the environment and associated equipment. Each of the fifty-meter pools in this case were estimated at \$5 million all-inclusive with two movable bulkheads and

movable floor. A twenty-five meter pool would be \$2.5 million. He did not have an available an estimate for a fifty-meter pool without the movable bulk-heads and floor, but roughly estimated \$3.5 million. The proposed fifty-meter pool cost is based on the proposed multiple uses. It is exceptionally deep with a movable floor.

Mayor Seiler thought the proposal is missing itemized costs and requested more breakdown. Some components are clearly high, such as Ocean Rescue at almost \$300 per square foot, the Bath House at over \$300 per square foot and ISHOF museum at almost \$400 per square foot. He wanted the boat show to be involved as noted in the RFP. He did not think the parking is sufficient and was concerned about traffic congestion. He believed the City needs to look at a better form of transit on the beach. He questioned the visitor volume shown in the proposal.

Mayor Seiler wanted a volume estimate from ISHOF, Bruce Wigo, executive director of ISHOF, discussed exposure difficulties for the museum and pro shop impacting attendance. Mr. Cerrone understood a significant part of ISHOF's revenue is generated by the banquet facility. Therefore the banquet facility sits on top of the museum so that the revenue goes to ISHOF. ISHOF sits directly on the street. There is also a retail shop front and center. RDC believes these three generators will increase ISHOF's volume. Mr. Wigo indicated by the time this is built, ISHOF's agreement will be due for renewal. The revenue will have to do with what benefits are afforded to ISHOF. He felt a \$191,429 contribution by ISHOF shown in Exhibit 1 is reasonable based on the proposed design, but it really has to do with the agreement that will be negotiated. Commissioner Rogers thought Mr. Wigo and the ISHOF Board should determine how much money it would want to raise to contribute toward the construction and reach a fair rental value. Discussion followed concerning generation of revenue by ISHOF as well as donations.

Mayor Seiler noted the proposal is almost \$400 per square foot and expressed the opinion that it is very high.

The City Auditor indicated one option is a tax exempt private activity bond where ISHOF would be responsible for paying. The issue of their revenues and rent would cease to exist. ISHOF would be the guarantor. It would not affect the City's bond rating. The facility could be built to the level that suits them. Because there needs to be some assurance as to the facility's level, Mayor Seiler thought it has to be worked out together. Mr. Wigo thought that ISHOF is an integral part of the aquatic complex.

Ms. McCaffrey and Laura Voet, Aquatic Complex Manager, responded to questions about parking spaces and parking fees.

Commissioner Rogers, Mayor Seiler and Commissioner Rodstrom were agreeable to onsite management of the pools through ISHOF. Commissioner Rogers wanted ISHOF to be a more proactive partner, offering ideas of what they think would make economic sense. It was pointed out that Mr. Wigo must keep the ISHOF Board up to date. Commissioner Rogers thought a clear message should be expressed to the board that the City wants ISHOF to be part of this and the City needs to hear how they would like to see it work. In response to Mayor Seiler, Mr. Wigo indicated that he has not had any part in the \$9.8 million for the facility proposed by RDC; it could be accomplished for less.

Commissioner Roberts wanted more facts and figures on the practical aspects of the removal floor design, including refurbishing costs within a ten year period. Mr. Cerrone advised the selected pools come with a fifteen-year warranty. He believed the removable floor comes with a ten-year warranty. Because it is under water, it is not exposed to the corrosive environment. It is state of the art. Commissioner Roberts pointed out that there will be maintenance costs. In response to Mayor Seiler, Mr. Cerrone thought that through value engineering, redesign and input from the City, RDC can get to a level where the City would like to be. In further response, Diana Alarcon, Director of Parking and Fleet Services, estimated \$15 to \$18 per parking space for garage construction cost. In response to Commissioner Rogers, Mr. Cerrone expressed the view that there is not too much planned for the site; it could be more dense. In response to Mayor Seiler, Mr. Cerrone indicated that most of the bridge cost is incorporated into the Wave House number. Some of the expense goes into the parking garage because there are Department of Transportation requirements. Discussion ensued as to the noise level, direction based on the design and types of events that could be held and associated revenue.

Commissioner Rogers asked about the cruise lines and their interest in diving practice at the facility. Mr. Cerrone indicated Royal Caribbean is very interested; negotiations are ongoing. Dave Burgering, Director and Head Coach of Fort Lauderdale Diving Team, believed if the design suited their purposes, they would use the facility as often as need be. Their cast changes about every eight months. The idea of a dress rehearsal performance where admission tickets could be sold, for example, would need to be negotiated.

Commissioner Rogers questioned why more projects, such as Port Everglades, were not included in the traffic study, John Zegeer of Kittelson & Associates, Inc., on behalf of RDC, explained Kittelson took into account currently approved or under construction projects and assumed how much growth would occur in traffic by the time this project opens. There has been a reduction in traffic based upon Florida Department of Transportation (FDOT) counts, but they did not assume that would continue. In further response, he indicated this was a preliminary study and did not include consideration of the by-pass road being eliminated. Commissioner Rodstrom pointed out that the study was based on the Bahia Mar plan with two condominiums and two hotels. Ms. Alarcon noted that this was a preliminary study; a more in-depth study including everything staff believes would impact the traffic would be done. In response to Commissioner Rodstrom, Dennis Girisgen, Engineering Division of Public Works, explained how traffic analyses are evaluated and considered. The City is under a transit oriented concurrency system. Developers simply comply with a fee decided upon by Broward County. There is also a trip count on the beach. After deducting trips for the most recent Bahia Mar plan, there are roughly 640 remaining trips. In response to Mayor Seiler, Mr. Girisgen advised that staff has not looked at how many trips this proposal would use. Peter Partington, City Engineer, advised that staff believes this traffic study is a reasonable first step; they have not delved into the trip assumption or parking spaces. The study would not meet the City's requirements if this proposal was before the Development Review Committee. Before proceeding further, Mayor Seiler wanted to make sure that all parties are operating under the same assumptions. Ms. Alarcon explained that staff has looked at the study but feels it should be looked at under a microscope. Staff believes there will be a true traffic impact. RDC will need to request a parking reduction. Without a final site plan, it is difficult to say what it will be. Mayor Seiler was concerned about leading everyone down a path. Ms. Alarcon advised the parking reduction estimate is 70

percent. There needs to be a parking structure of roughly 1,500-1,700 spaces. RDC is trying to find ways to add parking and shared uses. In response to Commissioner Rodstrom's question, Mr. Zegeer indicated they based the traffic generation on the proposal, as well as input from ISHOF as to how their visitation occurs. This is not a traditional development. More analysis is needed as they reach a final site plan. Mayor Seiler referred to pages 22 and 23 of Exhibit 2 to Commission Agenda Report 10-1559, attached to these minutes. He did not think the projections are accurate. Mr. Cerrone indicated the 1,700 parking space projection is comprised of individual estimates for each use. He believed a 1,500 foot radius is a fair distance to project that people will walk to the facility. RDC believes that 450 spaces would be sufficient except for a large event where employee vehicles are moved off-site and trolleys used. Mr. Lochtefeld added the 450,000 Wave House visitor projection includes people already at the beach. Ms. Alarcon noted in the City's upcoming study, it was requested that shared-use concepts, mass transportation, pedestrian walk-up and so forth be explored with thought that it may be necessary to make adjustments to the code. She anticipated the study coming forward in the next two weeks.

The Commission emphasized the need for staff to work closely with RDC on parking and traffic generation. Mayor Seiler wanted the projections on per square foot and per item be tightened as well as the pool cost estimates, budget numbers and assumptions. He thought a specific staff individual should be assigned to work with RDC. Commissioner DuBose pointed out that many of the items raised today were already raised. He was disappointed in the lack of follow-up. Mayor Seiler emphasized that something needs to be done with the facility this year. Commissioner Rogers wanted operational cost information. Kathleen Gunn, Acting Assistant City Manager, indicated Ms. McCaffrey would continue to be the lead staff member. Mayor Seiler emphasized that the public sector costs need to be reigned in. He asked that the City Auditor also work with staff and the RDC team. Staff should operate under the assumption that the \$10 million for the bypass is not available. Ms. McCaffrey was not sure how some of the assumptions can be accurately projected. Mayor Seiler thought 200 parking spaces could be added onsite and the same number at the Las Olas garage. In other words there are options for parking, but there are still traffic issues. Some discussion ensued on the various traffic studies available. Commissioner Rogers wanted to be sure the transit element (trolleys) is not left out. Mayor Seiler received consent to discuss with staff a parking garage in the vicinity of the Bonnet House as previously mentioned.

Mr. Blosser thanked the Commission for the input and staff direction. He reiterated RDC's belief that the project is workable.

I-C – Fort Lauderdale Stadium – Redevelopment Proposal

Mayor Seiler felt the middle appraisal (\$9,200,000) is pretty realistic. He wanted to jointly approach the Federal Aviation Administration (FAA) with it. The City Auditor confirmed that he has looked at the appraisals. There was consensus approval for Mayor Seiler to work with staff, airport authority and applicant in pursuing consent from the FAA with Commissioner Roberts serving as an alternate. There was also consensus to move forward with the middle appraisal (Meacham and Associates, Inc.).

Jim Blosser, representing Schlitterbahn Development Group, indicated Schlitterbahn would like to have some discussion with the City regarding the appraisals and the scope of community offset use and so forth in order to reach a consensus on the right number

and mix of revenue among the users. He requested these discussions occur before going to the FAA. Joe Cerrone of Recreational Design and Construction (RDC), project design-builders, understood the Strikers would be under the master lease of Schlitterbahn who would be programming out pursuant to the City's direction. He thought the initial discussions should be between Schlitterbahn and the City. Mayor Seiler explained it is necessary to figure out the value assigned to the various users therefore he felt the School Board and the Strikers need to be included in the discussion. The City Attorney explained that the FAA will want to know the total amount of revenue based upon the middle appraisal if they accept it. The Strikers, School Board and Schlitterbahn will have to come up with that number. Clara Bennett, Airport Manager, was directed to serve as the lead staff member and to proceed as noted. Both Mayor Seiler and Mr. Blosser noted the importance of the discussions moving forward expeditiously.

Note: The City Commission recessed at 5:28 p.m. and addressed Conference Item I-F at approximately 7:59 p.m. in the City Commission meeting room on the first floor of City Hall. The City Commission then recessed at 9:25 p.m.

Note: The Commission then convened as the Community Redevelopment Agency Board of Commissioners from 9:28 p.m. until 9:31 p.m.

Note: The City Commission then reconvened at 9:32 p.m. and addressed Commission Reports.

I-D – Radio Communications Microwave Replacement Project

See April 20, 2011 regular meeting.

I-E – Cooley's Landing Boat Ramp Replacement Project – Close Out of Broward County Boating Improvement Program Grant – Consideration of Alternative (City and County) Forms of Notice of Limitation of Use – Site Dedication

See April 20, 2011 regular meeting.

I-F – Broward League of Cities – Appointment of Director, Alternate and Second Alternate

There was consensus approval for Vice Mayor DuBose to serve as the director with Commissioners Rogers and Rodstrom as alternates.

I-G – Fort Lauderdale and Lockhart Stadiums – 72.6 Acre Site East of Executive Airport – Comprehensive Plan – Land Use Plan Amendment Application to Broward County Planning Council – Traffic Impact Analysis and Mitigation Strategies

Cate McCaffrey, Director of Business Enterprises, reviewed the history of the land use designation of this property as detailed in Commission Agenda Report 11-0597. Jim Koeth, Planning and Zoning, advised that staff submitted a land use amendment application to Broward County in October of last year. As part of the application, a traffic analysis is required. Once impacts are determined, applicants typically offer a traffic mitigation contribution to offset the impacts. The previous traffic analysis found 875 p.m.

peak hour trips with an associated traffic mitigation cost of approximately \$661,000. Broward County staff has revised the analysis, utilizing real world airport employee data, realizing 475 p.m. peak hour trips with an associated \$108,630.12 mitigation cost. The recommended traffic mitigation strategy would be a fair-share contribution toward Broward County's advance traffic mitigation system (ATMS). The contribution would be applicable at time of future development application submittal and be applied for development's proportionate share of mitigation once the threshold is crossed.

Mayor Seiler asked about waiting until next year as the City is not sure what it is going to do with the property. Mr. Koeth indicated the next available window would be the February 2012 Broward County Planning Council meeting. The City Attorney explained that the Federal Aviation Administration (FAA) is asking the City on a very frequent basis when this rezoning and land use plan amendment would be done, and the City will be asking the FAA for accommodations on certain issues. If the FAA is told that this has been delayed a year or so, he did not think those accommodations are likely. Commissioner Roberts felt it is critical to move forward. Mr. Koeth confirmed that the County is agreeable to the recommended mitigation amount and it would not be possible to move forward with development without this as noted by the City Attorney. He also confirmed for Vice Mayor DuBose that waiting another year would delay until October and 2013 in order to finish the process. Construction costs will more than likely increase. Mayor Seiler clarified he was simply inquiring about the ramifications. In response to Vice Mayor DuBose, Mr. Koeth indicated there are other options, but this was the preferred alternative and is similar to the course of action taken by Tamarac.

There was consensus approval.

I-H – Visioning Process Consulting Services

Chaz Adams, Acting Director of Public Information, noted the history concerning this item. Wallace Roberts & Todd's revised proposal, as negotiated by Mayor Seiler, is provided with Commission Agenda Report 11-0555.

Mayor Seiler noted that the fact gathering being done under the Evaluation and Appraisal Report (EAR) by Planning and Zoning will be dovetailed with this to eliminate two processes. The EAR RFP is due May 3. The visioning process has been shortened to about ten months. There is about \$100,000 in savings. He did not think it could be reduced any further without substantially impacting quality. He took the proposal back to the Visioning Committee. Their endorsement was unanimous. He did not think this process has been done for the last two seated commissions. He felt the Commission should make a commitment to implement it.

Commissioner Rodstrom noted her discussion with one city manager applicant. She felt the new manager's input is critical. She was not happy about using an out-of-town company. She was concerned about the number of plans and consultant fees in the City's history. She wanted to know about funding for the implementation strategy. If it involves raising taxes, she would have trouble with it. Mr. Adams did not believe it is addressed in the plan. Mayor Seiler did not think it is possible to address it until the fact gathering is completed. This Commission has yet to not implement a plan it has called for. He felt it is important to use this process for planning. He elaborated upon the idea of accomplishing this in-house versus an outside entity. There were two city manager

applicants who indicated they used outside independent entities. Commissioner Rodstrom indicated there will be a cost associated to anything that is done.

John Fernsler of Wallace Roberts and Todd elaborated upon the City's successful visioning processes of the past, including the Performing Arts Center, Discovery Center Science Museum, Arts and Science District, Esplanade Park, revitalization of the beach and Sistrunk Boulevard in process. The beauty of a visioning process is that it gets the community imagining the future and from that comes support that will lead to funding projects if projects are even an outcome of this effort. Dialogue ensued between Commissioner Rodstrom and Mr. Fernsler concerning the difference between the Evaluation and Appraisal Report process mandated by the government and visioning. Mr. Fernsler responded to her question about funding mechanisms for the items mentioned by him coming out of previous visioning processes, and indicated they would identify funding pots for this process as well. Commissioner Rodstrom thought the City would be duplicating its efforts in hiring Wallace Roberts and Todd as the new city manager would have such abilities. She could not vote on this item without knowing its budget and a five-year forecast in order to know how to pay for it. In response to the comment that vision is decided by the Commission, Mr. Fernsler discussed the advantages of a bottom up process. Mr. Fernsler and his colleague, Sylvia Vargas explained how the Commission would be involved. With discussion returning to Commissioner Rodstrom's request for information on the implementation funding, Mayor Seiler confirmed that he would not vote to raise taxes. As such, Commissioner Rodstrom thought the plan may simply sit on the shelf. Mr. Fernsler assured her that they would not put something in a high priority in the strategic plan that would be the final product of the vision unless a funding strategy has been identified. Wallace Roberts and Todd will frame the issues. In further response, he indicated that they will be informed by previous work on the many topical issues but a fresh viewpoint of what citizens say.

Commissioner Roberts did not believe the City will approach the citizens by asking what they would like if there was all the money in the world. He fully supported the item and indicated there has not been such a process since 1994 and then it was not a true vision process nor was it all inclusive. It will be the Commission's role to help identify funding sources. There were differing opinions from the city manager candidates as to whether it should be accomplished in-house or by an outside entity. He believed it should be driven from the community up. This process is a promise he made when campaigning for office. He believed the vision will set in place five-year plans and priorities and hold the Commission accountable to implementing those things for the public. Everyone at his district meeting yesterday was in favor of it. He believed it will result in saving money over the long run. He viewed it as an ongoing process where priorities could change and should be re-evaluated every five years. Without a set vision, it is difficult to implement master plans. With staff cuts, he thought it would stretch them to the limits to take on the entire endeavor.

Commissioner Rodstrom clarified that she supports a vision but is opposed to the fact that there is no funding strategy for implementation. Without a plan, Commissioner Roberts explained it is not possible to attach a cost. Commissioner Rodstrom questioned why it is not a budgeted item. Mayor Seiler agreed it is impossible to discuss funding until the public comments are received. He also campaigned on this item. Commissioner Roberts wanted to hear from the public as to their satisfaction of services and priorities.

Commissioner Rogers raised the idea of certain departments being asked to find the funds in order to participate in the process. He was concerned about it not being budgeted. He wanted a new manager to be in place before signing a contract. He supported such a process and noted how it becomes a budgeting tool. Mr. Fernsler responded to Commissioner Rogers as to the phases shown in the proposal and indicated that typically they are paid for work performed monthly, phase by phase. They would not be kicking this off until after the summer months and by that time the manager would likely be onboard. Mayor Seiler concluded the cost could be split over two budget years.

Vice Mayor DuBose supported the item, but was not completely comfortable with the cost. His main concern is that it be inclusive and a strong outreach to people beyond those that come to city hall so there is a good cross-section. In response to his question, Mr. Fernsler indicated both himself and Ms. Vargas are based in South Florida. He also was concerned that the new city manager part of this. He supported the item.

Greg Brewton, Director of Planning and Zoning, noted the EAR's timeline for Mayor Seiler. Doug Wood, Director of Finance, advised the City ended 2010 with \$69.6 million and the current fiscal year budget has projected an ending fund balance of \$50.5 million. The \$69.6 million includes the \$2.9 million not expended last year. Some discussion followed as to expenditures that would be factored in and the under-estimate last year which resulted in \$12 million more than anticipated. Commissioner Rogers reiterated his discomfort with voting on something that has not been budgeted and without the new manager onboard. Discussion ensued about the possibility of postponing the item, the timeline and adjustments that may result from the new manager's input. In response to Commissioner Roberts, former Commissioner Tim Smith, chair of the Visioning Committee, indicated the committee has been working on this for fourteen months. He believed it is time to fish or cut bait. He agreed the starting time should be September-October. Mayor Seiler felt it could be fine-tuned, but he wanted to send out the word that visioning input will start to be collected in the fall. Commissioner Rogers agreed, but wanted a condition so that the manager has the last look.

Commissioner Rodstrom was concerned the visioning did not come from the committee, but rather a consultant was retained. Former Commissioner Smith did not think the committee could accomplish this project on its own. He commended the Commission for doing what they said on the campaign trail they would do.

Commissioner Rogers wanted to move forward subject to review and budgeting by the new city manager. Commissioner Roberts wanted to commit this evening to moving forward with a visioning process. Commissioner Rogers clarified that he is in favor of moving forward with a visioning process with these provisos which he elaborated upon. During discussion that ensued, Commissioner Roberts recommended the funding be taken from the general fund with direction to the City Manager to find ways to reimburse it. Commissioner Rogers did not want to commit to a contract and a price that might be amended later. Mr. Fernsler suggested executing the contract, reserving the right to authorize by phases, but emphasized it is critical that they begin the mobilization process. Commissioner Rogers was agreeable to authorizing phase one at this time. The City Attorney indicated if a cost by phase could be identified, the contract could be entered into tonight, phase one authorized and future phases would be subject to

appropriation. Mayor Seiler noted payment would be made as the work is completed. The new city manager could look at the other phases. Phase one is \$54,398.

In response to Commissioners Rodstrom and Rogers, Ms. Vargas and Mr. Fernsler described the mobilization task and other work in phase one and timing. Mayor Seiler suggested a start timeline of June when the new manager will be onboard. For Commissioner Rodstrom's benefit, Mayor Seiler expanded on the thinking of authorizing the work in phases. Vice Mayor DuBose was pleased that this will allow the City to check performance.

In response to Commissioner Rodstrom, Kirk Buffington, Director of Procurement Service, indicated this occurred before with the utility consultant RFP which he described and indicated he has no objection in this instance. Also, future phases could be authorized with amendments. The City Attorney advised that there is a resolution attached to the regular meeting agenda Item PUR-10 that details funding that would be changed to the \$54,000 +-. Mr. Buffington advised that all contracts have a termination for convenience clause. Mayor Seiler noted and the City Auditor confirmed it is sufficient that the resolution's exhibit, noting the funding, will be revised to the phase one amount.

Note: See Regular Meeting Agenda Item PUR-10.

I-I – Proposed Lien Settlements – Special Magistrate and Code Enforcement Board

There was no objection.

NOTE: The Commission convened as the Community Redevelopment Agency Board of Commissioners from 9:29 p.m. until 9:31 p.m.

III-A – Communications to City Commission and Minutes Circulated for Period Ending April 14, 2011

Audit Advisory Board

Motion made by Mr. Ally, seconded by Ms. Probeck:

The Board recommends extending the Ernst & Young contract for one year, with the proviso that an RFP would be prepared for competitive bidding next year. In a voice vote, motion passed 4-0.

In response to Mayor Seiler, Doug Wood, Director of Finance, advised this would be the contract's first extension for one-year. The board agreed to support the extension subject to the City issuing an RFP for fresh ideas which will be on the next agenda (May 3). There was no objection by the Commission.

Cemetery System Board of Trustees

Motion made by Mr. Adams, seconded by Ms Sallette, to accept the recommendation of the Selection Committee and to recommend to the City

Commission that SunTrust be the Cemetery Custodial Trust Investment Manager. In a roll call vote, motion passed 4-2 with Mr. Sykes and Chair Mowrey opposed.

Mayor Seiler indicated this has already been accomplished and thanked the board for their recommendation.

Sustainability Advisory Board

By unanimous consent, the Board agreed to send the following communications:

1. ~~To forward the updated version of Ms. Eckels' letter regarding the Clean Air Act to the City Commission.~~
2. ~~To recommend Mayor Seiler sign the U.S. Mayors Climate Agreement, and to couple this with a proclamation reaffirming the City's commitment, to be read at a Commission meeting.~~
3. To inform the City Commission that some of the language approved by the Citizens Sustainability Green Committee regarding the creation of the Sustainability Advisory Board was omitted from the language presented to the City Commission on first reading. On second reading, the City Commission did not realize this language was missing. The Board recommends that amending the ordinance to include that language be put on the City Commission's Agenda.

The City Attorney advised there will be an item concerning this on the next agenda (May 3).

III-B – Board and Committee Vacancies

Note: Please see regular meeting, Item R-05.

City Commission Reports

Visioning Process; April 20, 2011 Regular Meeting Agenda Item PUR-10

The City Clerk agreed to furnish Commissioner Rodstrom a copy of the amended resolution on this item.

Events and Matters of Interest

Members of the Commission announced recent and upcoming events and matters of interest.

Mayor Seiler asked Commissioner Rodstrom to confirm whether Governor Scott will be attending the International Swimming Hall of Fame's swimming and diving centennial celebration. He also asked that the Tarpon River greenway dedication on April 23 be placed on the calendars of all members of the Commission.

Fresh Market Site Plan; Federal Highway

In response to Commissioner Rodstrom, no member of the Commission expressed a desire for a Commission review of this item (call-up).

Florida Department of Transportation Budget Reductions

Commissioner Rodstrom indicated she will provide information received from the Florida Department of Transportation concerning their budget reductions.

Reusable Bags; Green Initiative

Commissioner Rodstrom highlighted a green initiative in Washington D.C. concerning reusable bags and indicated she has requested the Acting City Manager schedule discussion at a conference meeting.

Domestic Partnership Insurance; City Employees

Commissioner Rodstrom requested staff look into offering insurance to the significant domestic partners of City employees even though they may not be married. Mayor Seiler agreed and thought there should be investigation into the City providing benefits as well. He requested cost projections for both aspects.

Bahia Mar; Boat Show

Commissioner Rodstrom advised that representatives of the boat show have indicated to her their unhappiness with the Bahia Mar item. Mayor Seiler noted that the Commission has said repeatedly that an agreement with the boat show is required in order to reach an agreement with the City.

Riverwalk Lighting

Commissioner Rogers indicated there is funding for some Riverwalk lighting. There were some concerns about the placement and the authorization was removed from a recent agenda. He asked the Acting City Manager look into moving forward with installation at a location where there are more people.

Winter & Company; Neighborhood Development Criteria Revisions Update

In response to Commissioner Rogers, Greg Brewton, Director of Planning and Zoning, advised this item will be coming forward in the fall. Staff has been working with the consultant to develop a document to be presented first to the Planning and Zoning Board and then the Commission. They want to make sure what is presented is feasible. Financing is one problem. Because of the additional outreach mandated, staff is trying to do some of the work along with the consultant. It will likely be September.

Stock The Pantry Initiative

In response to Commissioner Rogers, the prohibition of members of the Commission soliciting donations for a third party was noted and that announcing the initiative at this meeting is helpful.

Communication Service Cabinets within Utility Easement Areas

Commissioner Roberts requested an update on the process and the topic in general be placed on a conference agenda.

Dillard High School

Mayor Seiler requested arrangements be made to recognize Dillard High School for winning the state championship.

Project Hoover – Qualified Target Industry Business

Please see April 20, 2011 regular meeting.

City Manager Reports - none

There being no other matters to come before the Commission, the meeting was adjourned at 10:07 p.m.